

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

In the Matter of:)	
)	
Request for Review of a)	
Decision of the Universal Service)	
Administrator and Request for Waiver)	
)	CC Docket No. 02-6
by)	
)	
Springfield City School District)	
Springfield, OH)	

TO: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Springfield City School District ("Springfield" or "SCSD") respectfully requests that the Federal Communications Commission ("FCC" or "Commission") review a decision of the Administrator of the Universal Service Administrative Company ("USAC ") which, due to a USAC processing error, denied SCSD a Billed Entity Applicant Reimbursement ("BEAR") for FRN 2221202. SCSD further requests that, if necessary, it be granted a waiver of the invoicing deadline for the FRN. This Request for Review and/or Waiver is made pursuant to 54.719 through 54.723 of the Commission's rules.¹

¹ 47 C.F.R. §§ 54.719–54.723

Application Information

Billed Entity Number:	129994
FCC Form 471 Application Number:	776975
Funding Request Number Appealed:	2221202
Administrator's Decision on Appeal dated:	January 28, 2015

Contact Information:

Michele Scaduto
Educational Funding Group, Inc.
CRN 16043587
Consultant to Springfield City School District
26650 Renaissance Parkway, Suite 2
Cleveland, OH 44128
541-683-5246 (Direct - Pacific Time Zone)
216-831-2626 (Main Office)
216-831-2822 (Fax)
michele.scaduto@naa.com

USAC ADMINISTRATOR'S DECISION ON APPEAL

Springfield City School District is requesting a Review and Waiver relative to USAC's denial of payment for a Billed Entity Applicant Reimbursement that was submitted for FRN 2221202. The BEAR denial was appealed and the USAC Administrator denied the appeal stating:

- During the invoice review, reimbursement can only be issued for entities that were approved during the FCC Form 471 review process. It was determined that you invoiced for products/services to an entity, SPRINGFIELD CITY that was not included in Block 4 of the FCC Form 471. This entity has not received approval for discounts for this funding request. Consequently, your appeal is denied.

STATEMENT IN SUPPORT OF REQUEST FOR REVIEW AND WAIVER

SUMMARY

The denial of reimbursement subject of this Request for Review and Waiver arose because the USAC reviewer who conducted the BEAR review of Invoice #2117933 failed to properly read the information sent by Springfield City School District and further failed to check the Block 4 worksheet on the Form 471; this resulted in the erroneous conclusion that the BEAR was submitted for an ineligible entity and it was upon this conclusion that reimbursement was denied. The denial was appealed to USAC and, incredulously, it appears that the appeal team also failed to look at the Block 4 worksheet and read the explanatory statements made by SCSD, and so upheld the denial of reimbursement stating that "This entity has not received approval for discounts for this funding request." USAC's error would have been completely avoided and the money properly disbursed had the Block 4 worksheet, Block 22 of the FRN, and SCSD's accompanying statements been reviewed at all.

TIMELINE AND ARGUMENT

On 12/02/14, BEAR Invoice #2117933 was submitted to USAC for FRNs 2221144, 2221167, and 2221202, and was timely certified by the vendor. On 12/03/14, the USAC invoicing department sent SCSD a BEAR review pertaining only to FRN 2221202; SCSD sent its response the next day (12/04/14). The response provided all of the requested information and documentation and clearly indicated that, although there was an AT&T contract for two DS1s, only the charges for the one DS1 circuit located at Springfield's

eligible South Building was being submitted for reimbursement. In the requested 'description of ineligibles', SCSD plainly stated that "1 of 2 DS1's on acct is for ineligible site," however, this statement seems to have been ignored by the reviewer, who also failed to check the Block 4 worksheet of the FCC Form 471 before denying reimbursement. Had he looked, he would have seen that South Building, entity #16062071, not only appeared on Block 4 Worksheet #1297978 of FCC Form 471 Application #776975, but was clearly identified in Block 22 of FRN 2221202 as the specific entity receiving this service, which USAC had funded on July 5, 2012 in the post-discount amount of \$2,419.20.

The current predicament seems to be rooted in the fact that the AT&T contract is for two (2) DS1 circuits - the one at the eligible South Building, and another at an ineligible site, which was not applied for. This information was provided to USAC on the Form 471, during the BEAR review, and on appeal, but given USAC's reason for denying payment of the BEAR and the denial of the appeal for the same reason, everything SCSD submitted seems to have been summarily ignored by the USAC reviewers.

Springfield is requesting that the Commission review the documentation attached hereto, which unquestionably demonstrates that that USAC's reasons for denying reimbursement and denying SCSD's appeal thereof, were clearly in error. The documentation marked Exhibits A-G attached hereto in support of this request are: (1) Block 4 Worksheet #1297978 of FCC Form 471 Application #776975; (2) Block 5 FRN 2221202 as was submitted on FCC Form 471 Application #776975; (3) the pertinent page of the July 5, 2012 FCDL; (4) the cover email and bill summary worksheet submitted in response to the BEAR review; (5) the pertinent page of the BEAR Notification Letter; (6) the appeal submitted

to USAC; and (7) the Administrator's Decision on Appeal Letter. SCSD asks that these documents be reviewed and the decision of the Administrator overturned so that the District may receive the reimbursement of \$2,419.20 to which it is entitled for FRN 2221202.

Since it is past the last date to invoice, SCSD respectfully requests that, if necessary, the Commission grant SCSD a waiver of the invoicing deadline for FRN 2221202. The Commission has authority to waive any provision of its own rules on its own motion and for good cause shown,² and waive a rule where the particular facts make strict compliance inconsistent with the public interest.³ The Commission has further recognized that in granting a waiver, considerations of hardship, equity, or more effective implementation of overall policy on an individual basis may be taken into account⁴ and has deemed a waiver to be appropriate if special circumstances warrant a deviation from the general rule, where such deviation would better serve the public interest than strict adherence to the general rule.⁵ SCSD believes that equity decrees that the special circumstances presented herein warrant such a waiver be granted since, based on the facts of this matter, strict compliance with the invoicing deadline is not in the public interest and will create hardship for SCSD.

CONCLUSION

Throughout its application process, SCSD demonstrated compliance with E-rate program rules and regulations. It followed all core E-rate program requirements and committed no fraud, abuse or waste of E-rate funds. The circumstances presented herein make it apparent that reimbursement for FRN 2221202 was wrongfully denied due to

² 47 C.F.R. §1.3

³ *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990)

⁴ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969)

⁵ *WAIT*, *supra*

compounded USAC errors. The erroneous actions of USAC will result in unnecessary financial hardship for the school district unless reversed by the Commission.

Therefore, for the reasons contained herein and to better serve the public interest and the interests of the students of Springfield City School District, Springfield, by and through Educational Funding Group, its duly authorized E-rate consultant, respectfully requests that the Commission:

1. Grant its Request for Review;
2. Find that South Building, entity #16062071, was on Block 4 Worksheet #1297978 of FCC Form 471 Application #776975 and as such, was eligible to receive discounts;
3. Remand FRN 2221202 to USAC for further processing of BEAR reimbursements in the amount of \$2,419.20;
4. If necessary, grant a waiver of the invoice deadline for FRN 2221202;
5. If necessary, instruct USAC to issue an invoice extension for FRN 2221202;
6. Waive any procedural rules necessary to effectuate the Commission's resultant Orders.

Thank you for your consideration.

Respectfully submitted,

/s/ Michele Scaduto

Michele Scaduto
Educational Funding Group, Inc.
E-rate Consultant to Springfield City School District

EXHIBIT A

Entity Number: 129994										Applicant's Form Identifier: 471MMS2011SPRINGFIELDP1				
Contact Person: MICHELE SCADUTO										Contact Phone Number: (216) 831-2626				
Block 4: Discount Calculation Worksheet														
Worksheet - 1297978 Page 1 of 1														
<p>The Block 4 worksheet is used to calculate your discount for services. You will complete one or more worksheets depending on the type of application you are filing. If you file more than one worksheet, please number the completed worksheets to assure that they are all processed correctly. Please refer to the instructions for information specific to the Type of Application you indicated in Block 1, Item 5.</p> <p><input checked="" type="checkbox"/> Check here if this worksheet contains all eligible entities in the school district or library system.</p>														
9a List entities and calculate discount(s):										(For Administrator's Use)				
School District or Library System Name:										School District or Library System Entity Number:				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Name of Eligible Entity	Entity Number AND NCES Code (for Schools) or FSCS Code (for Libraries)	Urban or Rural U or R	Total Number of Students	Number of Students Eligible for NSLP	Percent of Students Eligible for NSLP (Col. 5 / Col. 4)	Disc. from Disc. Matrix	New Construction	Admin Entity or NIF	All Disc Mech	Weighted Product for Calculating Shared Discount (Col. 4 x Col. 7)	Insert appropriate codes(s): P = pre-K, H = Head Start, A = Adult Education, J = Juvenile Justice, E = ESA, D = Dormitory	Entity Number of School District in which Library Outlet/Branch is Located	Discount of Member Entity	Shared Discount
ALL ENTITIES			SCHOOLS AND LIBRARIES							Schools with shared services	Schools	Library Outlet/Branch	Consortia	
SPRINGFIELD HIGH SCHOOL	50511 39 04481 01701	U	1757	1106	62.948%	80	N	N	N	140560				
ROOSEVELT MIDDLE SCHOOL	50509 39 04481 01697	U	397	258	64.987%	80	N	N	N	31760				
KENTON ELEMENTARY SCHOOL	50513 39 04481 01689	U	383	266	69.452%	80	N	N	N	30640				
LAGONDA ELEMENTARY SCHOOL	50514 39 04481 01691	U	365	325	89.041%	90	N	N	N	32850				
SNOWHILL ELEMENTARY SCHOOL	50520 39 04481 01699	U	523	234	44.742%	60	N	N	N	31380				
SNYDER PARK ELEMENTARY SCHOOL	50522 39 04481 01700	U	407	350	85.995%	90	N	N	N	36630				
SCHAEFER MIDDLE SCHOOL	50528 39 04481 01698	U	282	205	72.695%	80	N	N	N	22560				
LINCOLN ELEMENTARY SCHOOL	50535 39 04481 01692	U	411	390	94.891%	90	N	N	N	36990				
MANN ELEMENTARY SCHOOL	50534 39 04481 01693	U	462	346	74.892%	90	N	N	N	41580				
KENWOOD HEIGHTS ELEM SCHOOL	50536 39 04481 01690	U	411	353	85.888%	90	N	N	N	36990				
HAYWARD MIDDLE SCHOOL	50538 39 04481 01686	U	419	339	80.907%	90	N	N	N	37710				
CENTRAL OFFICE	50542 39 04481 01680	U	0	0	0.000%	84	N	Y	N	0	P, H			
FULTON ELEMENTARY SCHOOL	50545 39 04481 01684	U	379	342	90.237%	90	N	N	N	34110	P, A			
PERRIN WOODS ELEMENTARY SCHOOL	50548 39 04481 01696	U	461	352	76.356%	90	N	N	N	41490				
WAYNE ELEMENTARY SCHOOL	212331 39 04481 01703	U	538	436	81.041%	90	N	N	N	48420				
KEIFER ALTERNATIVE SCHOOL	16029944 39 04481 00131	U	157	120	76.433%	90	N	N	N	14130	A			
SERVICE CENTER	16060456	U	0	0	0.000%	84	N	N	N	0				
South Building	16062071 39 04481 00000	U	0	0	0.000%	84	N	Y	N	0				
TRANSPORTATION COMPLEX	16064151	U	0	0	0.000%	84	N	N	N	0				
9b Shared Services														
SCHOOL DISTRICTS: (Including groups of schools within school districts.) Calculate the totals of Columns 4 and 11. Divide the total of Column 11 by the total of Column 4. Enter the result in Column 15.			7352							617800				84%
LIBRARY SYSTEMS: Calculate the total of Column 7. Divide this total by the number of outlets/branches. Enter the result in Column 15.														
CONSORTIA: Calculate the total of Column 14. Divide this total by the number of member entities. Enter the result in Column 15.														

EXHIBIT B

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10 <input type="checkbox"/> If this is a duplicate Funding Request (e.g., of an FRN that is not yet approved, under appeal, etc.), check this box and enter the original FRN in the space provided:																																																																																																																																							
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Attachment You MUST attach a description of the service, including a breakdown of components, costs, manufacturer name, make and model number. You must include any additional account or telephone numbers if the billed account has multiple numbers. Label the description with an Attachment Number, and note number in space provided. DS1-ATT</td> </tr> <tr> <td colspan="2">22 Entity/Entities Receiving This Service:</td> <td colspan="2"> a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service: 16062071 b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., 1): </td> </tr> </table>		Recurring Charges	A. Monthly charges (total amount per month for service)	\$240.00	B. How much of the amount in A is ineligible?	\$0.00	C. Eligible monthly pre-discount amount (A minus B)	Non-Recurring Charges	\$240.00	D. 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EXHIBIT C

FUNDING COMMITMENT REPORT
Billed Entity Name: SPRINGFIELD CITY SCHOOL DIST
BEN: 129994
Funding Year: 2011

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 776975
Funding Request Number: 2221202
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 525990000876143
SPIN: 143001688
Service Provider Name: The Ohio Bell Telephone Company
Contract Number: N/A
Billing Account Number: N/A
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2011
Service End Date: N/A
Contract Award Date: 03/22/2011
Contract Expiration Date: 03/21/2014
Site Identifier: 16062071
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$2,880.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$2,880.00
Discount Percentage Approved by the USAC: 84%
Funding Commitment Decision: \$2,419.20 - FRN approved as submitted

FCDL Date: 07/05/2012
Wave Number: 051
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2013
Consultant Name: MICHELE SCADUTO
Consultant Number (CRN): 16043587
Consultant Employer: Educational Funding Group

EXHIBIT D

Michele Scaduto

From: Michele Scaduto [Michele.Scaduto@naa.com]
Sent: Thursday, December 04, 2014 6:14 PM
To: 'Hong, Ying'
Subject: RE: E-Rate Invoice 2117933, Your Invoice 472 SPR 2011 ATT 2 (Springfield 2011)_zdMe
Attachments: Springfield CSD 2011 Invoice 2117933 Review Worksheet.xlsx; Springfield CSD 2011 Invoice 2117933 Review Certification_EmFE.pdf; Springfield CSD 2011 Invoice 2117933 Review Invoices_EmFE.pdf

Refer to the attachments in response to the invoice review. Please do not hesitate to contact me if any questions arise as the documentation is reviewed. Thank you,

Michele Scaduto
Educational Funding Group
541-683-5246 (Direct - Pacific Time Zone)
216-831-2626 (Main Office - Cleveland)
216-831-2822 (Fax)
michele.scaduto@naa.com

From: Hong, Ying [mailto:ying.hong@sl.universalservice.org]
Sent: Wednesday, December 03, 2014 9:46 AM
To: 'michele.scaduto@naa.com'
Cc: 'MICHELE SCADUTO@1216-831-2822'
Subject: E-Rate Invoice 2117933, Your Invoice 472 SPR 2011 ATT 2_zdMe

Michelle Scaduto,

SLD Invoice No	SP_App Invoice No	Line ID	Customer Billed Date	471	FRN	SPIN	Service Provider Name	Applicant Name	BEN
2117933	472 SPR 2011 ATT 2	7087539	01-Jul-14	776975	2221202	143001688	The Ohio Bell Telephone Company	SPRINGFIELD CITY SCHOOL DIST	12999

I am reviewing your request for reimbursement of the aforementioned Invoice.

Please send:

- I. The worksheet you used to summarize the bill(s) (by month/ account number, as applicable). [A sample suggested worksheet is attached.]

It must clearly indicate:

- i. Total current charge per bill,
- ii. Itemized identification and removal of all ineligible products and services,
- iii. Calculation of the Undiscounted/Requested amounts requested.

- II. If the invoice is for deposits or up-front charges for services, please include a copy of the full contract that supports those charges.

If the request for reimbursement for each FRN per Invoice is comprised of less than 20 bills (sub-bills and sub accounts may contribute to this figure):

Please ALSO send me a copy of the bill(s) you received from the service provider for the products/services requested on this invoice. Please ensure that the provided page(s)

- I. Substantiates and clearly correlates the worksheet AND

- II. Indicates the following:
- i. Bill Date
 - ii. Service Provider Name
 - iii. Bill-To Entity (Name & Address)
 - iv. Current Charges
 - v. Description of Products / Services Delivered (note that Individual Call Detail is NOT required).
 - vi. Ineligibles identified, itemized and removed.

*If the request for reimbursement for each FRN per Invoice is comprised of **more than 20 bills** (sub-bills and sub accounts may contribute to this figure):*

- I. Please submit ONLY the worksheet mentioned above and
- II. The completed worksheet certification form (attached) to certify the accuracy of the worksheet.
- III. Upon receipt of the worksheet by the SLD, you will be required to provide either all the bills or a sampling of bills (selected by SLD) to verify the worksheet.
- IV. Worksheet must clearly indicate ineligible(s) and its removal.

Please provide this information to me as soon as possible within the next 7 calendar days (by **End of Day Wednesday 12/10/2014**). Failure to do so may result in a reduction or rejection of the invoice, without further request. In this event, please ensure you have all necessary documents collected before resubmitting your request. If you have any questions, please contact me within this 7 day period.

Thank you for your cooperation and continued support of the Universal Service Program.

Ying Hong
PIA Reviewer
Program Integrity Assurance
USAC, Schools and Libraries Division
Phone: 973-581-5047
Fax: 973-599-6521
E-mail: ying.hong@sl.universalservice.org

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Applicant Name: SPRINGFIELD CITY SCHOOL DISTRICT
Service Provider (SP) Name: AT&T (THE OHIO BELL TELEPHONE COMPANY)
Submitter Invoice Number: 472 SANDUSKY LIB ATT
SLD Invoice Number: 2117933
Funding Request Number (FRN): 2221202
Description of Service for (FRN): DS1

Month	Billing Account #	Bill Date	Current Charges	Ineligible \$	Description of Ineligibles	Ineligible Page #
JUL	937 R94-0397 996 7	07/22/11	\$ 1,019.04	\$ 509.52	1 of 2 DS1's on acct is for ineligible site	1
AUG	937 R94-0397 996 7	08/22/11	\$ 1,159.52	\$ 579.76	1 of 2 DS1's on acct is for ineligible site	1
SEP	937 R94-0397 996 7	09/22/11	\$ 1,461.80	\$ 730.90	1 of 2 DS1's on acct is for ineligible site	1
OCT	937 R94-0397 996 7	10/22/11	\$ 1,340.00	\$ 670.00	1 of 2 DS1's on acct is for ineligible site	1
NOV	937 R94-0397 996 7	11/22/11	\$ 1,340.00	\$ 670.00	1 of 2 DS1's on acct is for ineligible site	1
DEC	937 R94-0397 996 7	12/22/11	\$ 1,340.00	\$ 670.00	1 of 2 DS1's on acct is for ineligible site	1
JAN	937 R94-0397 996 7	01/22/12	\$ 1,340.00	\$ 670.00	1 of 2 DS1's on acct is for ineligible site	1
FEB	937 R94-0397 996 7	02/22/12	\$ 1,340.00	\$ 670.00	1 of 2 DS1's on acct is for ineligible site	1
MAR	937 R94-0397 996 7	03/22/12	\$ 1,683.40	\$ 841.70	1 of 2 DS1's on acct is for ineligible site	1
APR	937 R94-0397 996 7	04/22/12	\$ 1,542.00	\$ 771.00	1 of 2 DS1's on acct is for ineligible site	1
MAY	937 R94-0397 996 7	05/22/12	\$ 1,542.00	\$ 771.00	1 of 2 DS1's on acct is for ineligible site	1
JUN	937 R94-0397 996 7	06/22/12	\$ 1,542.00	\$ 771.00	1 of 2 DS1's on acct is for ineligible site	1
		Total	\$16,649.76	\$8,324.88		
		less ineligible	\$8,324.88			
		Adjusted Tot	\$8,324.88			
		Disc %	84.00%			
		Disc Amt	\$6,992.90			

Discounted Amount from Above
Requested Amt for FRN
Modification

\$6,992.90
\$2,419.20
No Deviation

Note: The July bill was originally shown as \$1,166.00. We missed a credit for overpayment of \$146.96. This is why the BEAR reflected a total of \$16,796.72 instead of the \$16,649.76 total shown here.

EXHIBIT E

BEAR NOTIFICATION LETTER APPLICANT REIMBURSEMENT REPORT



Form 471 Application Number: 776975
Funding Request Number: 2221144
Funding Year 2011: 07/01/2011 - 06/30/2012
Contract Number: N/A
Funding Commitment Decision: \$8281.02
Reimbursement Amount for this FRN: \$7453.54

Form 471 Application Number: 776975
Funding Request Number: 2221167
Funding Year 2011: 07/01/2011 - 06/30/2012
Contract Number: N/A
Funding Commitment Decision: \$24843.07
Reimbursement Amount for this FRN: \$24843.07

Form 471 Application Number: 776975
Funding Request Number: 2221202
Funding Year 2011: 07/01/2011 - 06/30/2012
Contract Number: N/A
Funding Commitment Decision: \$2419.20
Reimbursement Amount for this FRN: \$0.00
Reimbursement Request Decision Explanation:
Service to Entity Not Approved on 471;

EXHIBIT F

Educational Funding Group, Inc.

26650 Renaissance Parkway, Suite 2
Cleveland, Ohio 44128
erate@naa.com
tel: 216.831.2626 • fax: 216.831.2822

LETTER OF APPEAL **Filed on behalf of** **Springfield City School District**

January 7, 2015

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza
P.O. Box 685
Parsippany, NJ 07054-0685

To Whom It May Concern:

This Appeal pertains to a Funding Year 2011 Form 472 (BEAR) Notification Letter for Springfield City School District wherein reimbursement for FRN 2221202 was denied due to a USAC processing error.

Application Information

Billed Entity Number:	129994
FCC Form 471 Application Numbers:	776975
Funding Request Number Appealed:	2221202
Date of Form 472 Notification Letter:	December 17, 2014
Service Provider: Ohio Bell Telephone Co.	SPIN 143001688

Contact Information:

Michele Scaduto
Educational Funding Group, Inc.
CRN 16043587
Consultant to Springfield City School District
26650 Renaissance Parkway, Suite 2
Cleveland, OH 44128
541-683-5246 (Direct - Pacific Time Zone)
216-831-2626 (Main Office)
216-831-2822 (Fax)
michele.scaduto@naa.com

REIMBURSEMENT REQUEST DECISION EXPLANATION

The Reimbursement Request Decision Explanation stated: "Service to Entity Not Approved on 471" as the reason for denial.

STATEMENT IN SUPPORT OF APPEAL

The reimbursement problem at issue arose because the reviewer who conducted the BEAR review failed to properly read the information sent by Springfield City School District ("Springfield") and failed to check the Block 4 worksheet on the Form 471.

On 12/02/14 BEAR Invoice 2117933 was submitted to USAC for FRNs 2221144, 2221167 and 2221202 and was timely certified by the vendor. On 12/03/14 a BEAR review was sent by Ying Hong only for FRN 2221202; Springfield sent its response the next day (12/04/14). The response provided all of the requested information and documentation and clearly indicated that only the charges for the one eligible entity were included in the BEAR. The requested 'description of ineligibles' plainly stated "1 of 2 DS1's on acct is for ineligible site". Nonetheless, even though the eligible South Building entity 16062071 was on the Block 4 of the Form 471,

USAC denied the entire FRN stating "Service to Entity Not Approved on 471". A copy of the pertinent part of Springfield's response is attached,

FRN 2221202 applied for one (1) DS1 circuit located at Springfield's eligible South Building (entity 16062071), which entity appeared on 471 Application 776975, Block 4 Worksheet 1297978. The AT&T contract covering the circuit covers two (2) DS1 circuits - the one at the eligible South Building, and another at an ineligible site, which was not applied for. This information was provided to USAC, but given the reason for denying payment on the BEAR, it seems to have been ignored.

The facts and documentation show that USAC's reason for denying payment was clearly in error. Springfield requests that Block 4 Worksheet 1297978 and the documentation submitted in support of the BEAR be reviewed so that the District may receive the reimbursement of \$2,419.20 to which is entitled for FRN 2221202.

CONCLUSION

Throughout its application process Springfield demonstrated compliance with E-rate program rules and regulations. It followed all core E-rate program requirements and intended no fraud, abuse or waste of E-rate funds. It provided all requested information and documentation and did so in a timely manner. Despite Springfield clearly having identified that one of the two DS1s on the AT&T contract was ineligible and that no reimbursement was being sought for that site, the reviewer failed to look at the Block 4 Worksheet to verify that South Building entity 16062071 was in fact on the Worksheet. The failure to look at the Block 4 and at

the information submitted by Springfield is what appears to have caused the BEAR to be denied for an erroneous reason.

Therefore, for the reasons contained herein, Springfield City Schools, by and through Educational Funding Group, its duly authorized E-rate consultant, respectfully requests that USAC:

1. Grant its appeal;
2. Process BEAR #2117933 in the amount of \$2,419.20 for South Building entity #16062071 ;
3. If a new BEAR must be submitted, grant an invoice extension for FRN 2221202;
4. Notify the USAC invoicing department of the correction and/or extension; and
5. Issue a revised Form 472 Notification Letter authorizing reimbursement for FRN 2221202 in the amount of \$2,419.20.

Thank you for your consideration.

/s/ Michele Scaduto

Michele Scaduto

EXHIBIT G



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2011-2012

January 28, 2015

Michele Scaduto
Educational Funding Group, Inc.
26650 Renaissance Parkway Suite 2
Cleveland, OH 44128

Re: Applicant Name: SPRINGFIELD CITY SCHOOL DIST
Billed Entity Number: 129994
Form 471 Application Number: 776975
Funding Request Number(s): 2221202
Your Correspondence Dated: January 07, 2015

After thorough review and investigation of all relevant facts, the Schools and Libraries' Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2011 Form 472 (BEAR) Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2221202
Decision on Appeal: **Denied**
Explanation:

- During the invoice review, reimbursement can only be issued for entities that were approved during the FCC Form 471 review process. It was determined that you invoiced for products/services to an entity, SPRINGFIELD CITY that was not included in Block 4 of the FCC Form 471. This entity has not received approval for discounts for this funding request. Consequently, your appeal is denied.

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options

for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

LOA

August 27, 2009

To: Schools and Libraries Division of the
Universal Service Administrative Company

Re: Letter of Agency for Funding Years: July 1, 2010 – June 30, 2011 ☒ (E-rate FY13)
July 1, 2011 – June 30, 2012 ☒ (E-rate FY14)
July 1, 2012 – June 30, 2013 ☒ (E-rate FY15)
& completion of E-rate work for Funding Years: July 1, 2008 – June 30, 2010 ☒ (YR11&12)


*please check all applicable year(s)

The undersigned, on behalf of Springfield City School District ("Applicant"), hereby authorizes the personnel and authorized agents of Educational Funding Group, Inc., ("EFG") to act as our Agent(s) with the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) regarding all matters involving our E-rate funding application(s) for the Funding Years checked above.

This authorization relates to the filing of FCC Form 470, FCC Form 471 and all other E-rate forms necessary to complete each year's funding process. This authorization further extends to all other phases of the application process, including, but not limited to, responding to Program Integrity Review inquiries. EFG personnel and agents are expressly authorized to access and discuss with the SLD all matters pertaining to our application(s) and forms for the above-checked Funding Years.

This authorization shall remain in full force and effect until all work associated with the Funding Year(s) checked above has been completed.

Springfield City School District
School District Name


Signature

Date: August 27, 2009

Christopher S. Mohr
Printed Name

Treasurer
Title

Superintendent
David C. Estrop, Ph.D.
937.505.2806

Treasurer
Chris Mohr
937.505.2811

Board Members
Jamie Callan
Stephen Feagins, M.D.
Ed Leventhal
Donna Picklesimer
Don Reed, Ph.D.